

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: See Attachment A

Name of District Court, and/or Judge/Magistrate Location

 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

DEFENDANT - U.S.

MONICO DOMINGUEZ

DISTRICT COURT NUMBER

TBD

CR 12 834
 DEFENDANT
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Melissa Vanek

- ☒
- person is awaiting trial in another Federal or State Court, give name of court

Sonoma County Superior Court

- ☐
- this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐
- this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐
- this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐
- prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

- 1)
- ☐
- If not detained give date any prior summons was served on above charges
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)

IS IN CUSTODY

- 4)
- ☒
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

United States v. Alberto Larez, et al
Defendant Information Sheet
Attachment A

FILED

2012 NOV 29 P 3:34

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(1) MONICO DOMINGUEZ

CR 12 834

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNTS 4 through 6: 18 U.S.C. § 1957 — Money Laundering

Maximum term of 10 years imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 31 U.S.C. § 5324(d) — Structuring

Maximum term of 10 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of \$500,000
Mandatory special assessment of \$100

FILED

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U.S.

DISTRICT

COURT

SOUTHERN

CALIFORNIA

EMC

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
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Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

Count 11: 18 U.S.C. §§ 1512(c)(2) — Obstruction of Justice

Maximum term of 20 years' imprisonment
Maximum term of 3 years' supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

(2) JUAN DOMINGUEZ JR.

CR 12 834

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Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

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(3) SHAWN GEERNAERT

CR 12 FILED 834

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COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

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Mandatory special assessment of \$100

COUNT 12: 21 U.S.C. § 841(a) and (b)(1)(C) — Possession with Intent to Distribute Controlled Substance

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of \$1,000,000

Mandatory special assessment of \$100

COUNT 13: 21 U.S.C. § 860 — Maintaining Drug-Involved Premises Near Schools or Playgrounds

Maximum term of 40 years imprisonment

Mandatory minimum term of one year imprisonment

Maximum term of 6 years supervised release

Maximum fine of \$2,000,000

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

See Attachment A

- ☐
- Petty
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PENALTY: See Attachment A

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

JUAN DOMINGUEZ JR.

DISTRICT COURT NUMBER

TBD

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Melissa Vanek

☒ person is awaiting trial in another Federal or State Court, give name of court

Sonoma County Superior Court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District
☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**PROCESS:**☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT.

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

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Bail Amount: No Bail

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

ADDITIONAL INFORMATION OR COMMENTS

United States v. Alberto Larez, et al

Defendant Information Sheet

Attachment A

CR 12 834 EMC
FILED
2012 NOV 29 P 3:59
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

(1) MONICO DOMINGUEZ

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 2: 18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 3: 18 U.S.C. §§ 924(c) and 2 – Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment

Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment

Maximum term of supervised release of 5 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNTS 4 through 6: 18 U.S.C. § 1957 – Money Laundering

Maximum term of 10 years imprisonment

Maximum term of supervised release of 3 years

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

COUNT 7: 31 U.S.C. § 5324(d) — Structuring

Maximum term of 10 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of \$500,000
Mandatory special assessment of \$100

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2012 NOV 29
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CR 12 334
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another
Mandatory special assessment of \$100

COUNT 9: 18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment
Maximum term of 3 years supervised release
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COUNT 10: 18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a Crime of Violence

Maximum term of life imprisonment
Mandatory minimum term of 5 or 7 years, to be imposed consecutive to any other term of imprisonment; 25 year mandatory consecutive minimum if convicted of a second 924(c) offense
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Count 11: 18 U.S.C. §§ 1512(c)(2) — Obstruction of Justice

Maximum term of 20 years' imprisonment
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Mandatory special assessment of \$100

CR 12 834

(2) JUAN DOMINGUEZ JR.

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

Mandatory special assessment of \$100

FILED

2012 NOV 29

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Mandatory special assessment of \$100

EMC

(3) SHAWN GEERNAERT

CR 12 834

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

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COUNT 12: 21 U.S.C. § 841(a) and (b)(1)(C) — Possession with Intent to Distribute Controlled Substance

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of \$1,000,000

Mandatory special assessment of \$100

COUNT 13: 21 U.S.C. § 860 — Maintaining Drug-Involved Premises Near Schools or Playgrounds

Maximum term of 40 years imprisonment

Mandatory minimum term of one year imprisonment

Maximum term of 6 years supervised release

Maximum fine of \$2,000,000

Mandatory special assessment of \$100

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

See Attachment A

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See Attachment A

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

SHAWN GEERNAERT

DISTRICT COURT NUMBER

CR 12 834

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☒ Is on Bail or Release from (show District)

Sonoma County Superior Court

IS IN CUSTODY

- 4) ☐ On this charge

- 5) ☐ On another conviction

☐ Federal ☐ State

- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Melissa Vanek

- ☒ person is awaiting trial in another Federal or State Court, give name of court

Sonoma County Superior Court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

- ☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

- ☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

- ☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

Asst U.S. Atty Randy S. Luskey

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: No Bail

If Summons, complete following:

- ☐ Arraignment ☐ Initial Appearance

Defendant Address:

Date/Time:

Before Judge:

Comments:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

United States v. Alberto Larez, et al

Defendant Information Sheet

Attachment A

FILED
2012 NOV 29 P 3:59
RICHARD W. HILLING
CLERK OF DISTRICT COURT
NORTH DAKOTA

EMC

(1) MONICO DOMINGUEZ

CR 12 834

COUNT 1: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

Maximum term of 20 years imprisonment

Maximum term of 3 years supervised release

Maximum fine of the greatest of either: (a) \$250,000; (b) twice the gross pecuniary gain to the defendant; or (c) twice the gross pecuniary loss inflicted on another

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Maximum term of supervised release of 5 years

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COUNT 7: 31 U.S.C. § 5324(d) — Structuring

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FILED
2012 NOV 29 P 3:59
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
CR 12 834 EMC

(2) JUAN DOMINGUEZ JR.

CR 12 834-EMC
2012 NOV 29 P 3:59
FEDERAL DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

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EMC

(3) **SHAWN GEERNAERT**

CR 12 884

COUNT 8: 18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting Interstate Commerce

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2012 NOV 29 P 3: 59

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Maximum term of 6 years supervised release

Maximum fine of \$2,000,000

Mandatory special assessment of \$100

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

FILED

2012 NOV 29 P 3:59

EMC

UNITED STATES OF AMERICA,

v. **CR 12 834**

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT

DEFENDANT(S).

INDICTMENT


VIOLATIONS: 18 U.S.C. § 1951 – Hobbs Act Robbery/Conspiracy/Attempt; 18 U.S.C. § 924(c) – Use/
Possession of Firearm in Furtherance of Crime of Violence; 18 U.S.C. § 1957 – Money Laundering; 31 U.S.C.
§ 5324(a)(3) – Structuring; 18 U.S.C. § 1512 – Obstruction of Justice; 21 U.S.C. 841(a)(1) – Possession with
Intent to Distribute Controlled Substance; 21 U.S.C. § 860 – Maintaining Drug-Involved Premises Near
Schools and Playgrounds; 18 U.S.C. § 2 – Aiding and Abetting; 18 U.S.C. §§ 924(d) and 981(a)(1)(C) –
Robbery Forfeiture; 18 U.S.C. § 982(a)(1) – Money Laundering Forfeiture; 31 U.S.C. § 5317 – Structuring
Forfeiture

A true bill.

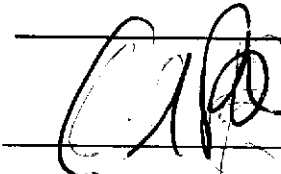


Foreman

Filed in open court this 29TH day of

November 2012


Clerk



Bail, \$

no bail required

MELINDA HAAG (CABN 132612)
United States Attorney

FILED

2012 NOV 29 P 3:59

RECEIVED
DISTRICT COURT
SAN FRANCISCO

EMC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CR 12

0004

UNITED STATES OF AMERICA,

v.

MONICO DOMINGUEZ,
JUAN DOMINGUEZ, JR.,
SHAWN GEERNAERT,

Defendants.

No.

VIOLATIONS: 18 U.S.C. § 1951 – Hobbs
Act Robbery/Conspiracy/Attempt; 18 U.S.C. §
924(c) – Use/Possession of Firearm in
Furtherance of Crime of Violence; 18 U.S.C. §
1957 – Money Laundering; 31 U.S.C. §
5324(a)(3) – Structuring; 18 U.S.C. § 1512 –
Obstruction of Justice; 21 U.S.C. 841(a)(1) –
Possession with Intent to Distribute Controlled
Substance; 21 U.S.C. § 860 – Maintaining
Drug-Involved Premises Near Schools and
Playgrounds; 18 U.S.C. § 2 – Aiding and
Abetting; 18 U.S.C. §§ 924(d) and
981(a)(1)(C) – Robbery Forfeiture; 18 U.S.C.
§ 982(a)(1) – Money Laundering Forfeiture;
31 U.S.C. § 5317 – Structuring Forfeiture.

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
Interstate Commerce)

1 From in or about June 2011 up through and including August 11, 2011, in the Northern
2 District of California, the defendant,

3 MONICO DOMINGUEZ,

4 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally did
5 combine, conspire, confederate, and agree together and with each other to commit robbery, as
6 that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
7 obstruct, delay, and affect commerce and the movement of articles and commodities in
8 commerce.

9 All in violation of Title 18, United States Code, Section 1951(a).

10 COUNT TWO: (18 U.S.C. §§ 1951(a) and 2 — Robbery Affecting Interstate Commerce)

11 On or about August 11, 2011, in the Northern District of California, the defendant,

12 MONICO DOMINGUEZ,

13 and others known and unknown to the grand jury, unlawfully and knowingly did obstruct, delay,
14 and affect commerce and the movement of articles and commodities in commerce by robbery, as
15 that term is defined in Title 18, United States Code, Section 1951(b)(1).

16 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

17 COUNT THREE: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
18 Crime of Violence)

19 On or about August 11, 2011, in the Northern District of California, the defendant,

20 MONICO DOMINGUEZ,

21 and others known and unknown to the grand jury, unlawfully and knowingly did use and carry a
22 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
23 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in
24 Count One of this Indictment, and the robbery affecting commerce charged in Count Two of this
25 Indictment, and did possess and brandish a firearm in furtherance of the offenses charged in
26 Counts One and Two of this Indictment.

27 All in violation of Title 18, United States Code, Sections 924(c) and 2.

28 COUNTS FOUR THROUGH SIX: (18 U.S.C. § 1957 – Money Laundering)

INDICTMENT

On or about the dates set forth below, in the Northern District of California, the defendant,

MONICO DONINGUEZ,

did knowingly engage and attempt to engage in the following monetary transactions by, through, or to a financial institution, affecting interstate or foreign commerce, in criminally derived property of a value greater than \$10,000, such property having been derived from a specified unlawful activity, that is the robbery affecting interstate commerce as charged in Count Two of the Indictment:

Count	Date	Description
4	August 30, 2011	Purchase of 2011 Harley Davidson (20R3956) with \$21,000 in cash
5	December 4, 2011	Purchase of 2010 Hyundai Genesis (6TBD651) with \$20,000 cashier's check
6	March 7, 2012	Purchase of Edwards 60-Ton Hydraulic Ironworker with \$10,775 wire transfer

Each in violation of Title 18, United States Codes, Section 1957.

COUNT SEVEN: (31 U.S.C. § 5324(a)(3) – Structuring)

From on or about August 17, 2011 up through and including June 29, 2012, in the Northern District of California, the defendant,

MONICO DOMINGUEZ,

did knowingly and for the purpose of evading the reporting requirements of Section 5313(a) of Title 31, United States Code, and the regulations promulgated thereunder, structure, assist in structuring, and attempt to structure and assist in structuring transactions with domestic financial institutions, by engaging in approximately 42 cash deposits of domestic coin and currency totaling approximately \$146,500, as part of a scheme and pattern of illegal activity involving more than \$100,000 in a 12-month period.

All in violation of Title 31, United States Code, Section 5324(a)(3) and 5324(d); and Title 31, Code of Federal Regulations, Part 103.

INDICTMENT

1 COUNT EIGHT: (18 U.S.C. § 1951(a) — Conspiracy to Commit Robbery Affecting
2 Interstate Commerce)

3 From in or about July 2012 up through and including August 6, 2012, in the Northern
4 District of California, the defendants,

5 MONICO DOMINGUEZ,

6 JUAN DOMINGUEZ, JR., and

7 SHAWN GEERNAERT,

8 and others known and unknown to the grand jury, unlawfully, willfully, and intentionally did
9 combine, conspire, confederate, and agree together and with each other to commit robbery, as
10 that term is defined in Title 18, United States Code, Section 1951(b)(1), and thereby would
11 obstruct, delay, and affect commerce and the movement of articles and commodities in
12 commerce.

13 All in violation of Title 18, United States Code, Section 1951(a).

14 COUNT NINE: (18 U.S.C. §§ 1951(a) and 2 — Attempted Robbery Affecting Interstate
15 Commerce)

16 On or about August 6, 2012, in the Northern District of California, the defendants,

17 MONICO DOMINGUEZ,

18 JUAN DOMINGUEZ, JR., and

19 SHAWN GEERNAERT,

20 and others known and unknown to the grand jury, unlawfully and knowingly attempted to
21 obstruct, delay, and affect commerce and the movement of articles and commodities in
22 commerce by robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1).

23 All in violation of Title 18, United States Code, Sections 1951(a) and 2.

24 COUNT TEN: (18 U.S.C. §§ 924(c) and 2 — Possession of a Firearm in Furtherance of a
25 Crime of Violence)

26 On or about August 6, 2012, in the Northern District of California, the defendants,

27 MONICO DOMINGUEZ, and

28 JUAN DOMINGUEZ, JR.,

INDICTMENT

1 and others known and unknown to the grand jury, unlawfully and knowingly did use and carry a
 2 firearm during and in relation to a crime of violence for which they may be prosecuted in a court
 3 of the United States, namely, the conspiracy to commit robbery affecting commerce charged in
 4 Count Eight of this Indictment, and the attempting robbery affecting commerce charged in Count
 5 Nine of this Indictment, and did possess and brandish a firearm in furtherance of the offenses
 6 charged in Counts Eight and Nine of this Indictment.

7 All in violation of Title 18, United States Code, Sections 924(c) and 2.

8 COUNT ELEVEN: (18 U.S.C. § 1512(c)(2) — Obstruction of Justice)

9 In or about September 2012, in the Northern District of California, the defendant,
 10 MONICO DOMINGUEZ,
 11 unlawfully and knowingly did corruptly attempt to obstruct, influence, and impede an official
 12 proceeding, to wit, MONICO DOMINGUEZ solicited another individual to bribe a government
 13 witness to offer false testimony, thereby obstructing and impeding a federal criminal
 14 investigation.

15 All in violation of Title 18, United States Code, Section 1512(c)(2).

16 COUNT TWELVE: (21 U.S.C. § 841(a)(1) — Possession with Intent to Distribute a Controlled
 17 Substance)

18 On or about October 21, 2012, in the Northern District of California, the defendant,
 19 SHAWN GEERNAERT,
 20 unlawfully and knowingly possessed with the intent to distribute marijuana.

21 All in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

22 COUNT THIRTEEN: (21 U.S.C. § 860 — Maintaining Drug-Involved Premises in or
 23 Near Schools and Playgrounds)

24 On or about October 21, 2012, in the Northern District of California, the defendant,
 25 SHAWN GEERNAERT,
 26 knowingly and intentionally maintained a cabinet shop at 2944 Dutton Meadow in Santa Rosa,
 27 California, for the purpose of manufacturing marijuana, within 1,000 feet of the real property
 28 comprising a playground.

1 All in violation of Title 21, United States Code, Section 860.

2 FIRST FORFEITURE ALLEGATION: (18 U.S.C. §§ 924(d) and 981(a)(1)(c) —
3 Robbery Forfeiture)

4 The allegations contained in this Indictment are re-alleged and by this reference fully
5 incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of 18 U.S.C.
6 §§ 924(d), 981(a)(1)(C) and 28 U.S.C. § 2461(c).

7 Upon a conviction for Counts One, Two, Three, Eight, Nine, or Ten, alleged above, the
8 defendants,

9 MONICO DOMINGUEZ,

10 JUAN DOMINGUEZ, JR., and

11 SHAWN GEERNAERT,

12 shall forfeit to the United States: (1) any property, real or personal, which constitutes or is
13 derived from proceeds traceable to said offense, and (2) any firearms or ammunition intended to
14 be used in said offense, including but not limited to:

- 15 a. a 2011 Harley-Davidson Motorcycle bearing license plate number
16 20R3956;
- 17 b. a 2005 Harley-Davidson Motorcycle bearing license plate number
18 NORYDS;
- 19 c. a 1997 Harley-Davidson Motorcycle bearing license plate number
20 6KOR650;
- 21 d. a 2011 Kawasaki KLR 650 Motorcycle;
- 22 e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- 23 f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- 24 g. a Deep Arch Corrugated Quonset Hut Style Building; and
- 25 h. a Edwards 60-Ton Hydraulic Ironworker

26 If, as a result of any act or omission of the defendant, any of said property

- 27 a. cannot be located upon the exercise of due diligence;
- 28 b. has been transferred or sold to or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

any and all interest the defendant has in other property shall be vested in the United States and forfeited to the United States pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461.

All in violation of 18 U.S.C. §§ 924(d), 981(a)(1)(C); 28 U.S.C. § 2461(c); and Rule 32.2 of the Federal Rules of Criminal Procedure.

SECOND FORFEITURE ALLEGATION: (18 U.S.C. § 982(a)(1) — Money Laundering Forfeiture)

The factual allegations contained in Counts Four through Six of this Indictment are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 982(a)(1).

Upon a conviction of any of the offenses alleged in Counts Four through Six, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(1), all right, title, and interest in property, real and personal, involved in said violation, or any property traceable to such property, including but not limited to the following:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- c. a Edwards 60-Ton Hydraulic Ironworker.

If, as a result of any act or omission of the defendants, any of said property

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to or deposited with, a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be divided without difficulty;

any and all interest defendants have in any other property (not to exceed the value of the above forfeitable property) shall be forfeited to the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated in Title 18, United States Code, Section 982(b)(1).

THIRD FORFEITURE ALLEGATION: (31 U.S.C. § 5317 - Structuring Forfeiture)

The allegations contained in Count Seven of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 31, United States Code, Section 5317.

Pursuant to Title 31, United States Code, Section 5317, upon conviction of Count Seven, the defendant,

MONICO DOMINGUEZ,

shall forfeit to the United States of America all property, real or personal, involved in the offense and any property traceable thereto, including but not limited to:

- a. a 2011 Harley-Davidson Motorcycle bearing license plate number 20R3956;
- b. a 2005 Harley-Davidson Motorcycle bearing license plate number NORYDS;
- c. a 1997 Harley-Davidson Motorcycle bearing license plate number 6KOR650;
- d. a 2011 Kawasaki KLR 650 Motorcycle;
- e. a 2010 Hyundai Genesis bearing license plate number 6TBD651;
- f. a 1963 Chevy Impala bearing license plate number 6TXA180;
- g. a Deep Arch Corrugated Quonset Hut Style Building; and
- h. a Edwards 60-Ton Hydraulic Ironworker

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;

- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 31, United States Code, Section 5317(c) and by Title 28, United States Code, Section 2461(c).

DATED: November 29, 2012


A TRUE BILL


FOREPERSON

MELINDA HAAG
United States Attorney



MIRANDA KANE
Chief, Criminal Division

(Approved as to form: )

RANDY LUSKEY
Assistant United States Attorney

INDICTMENT

United States District Court
Northern District of California

FILED

2012 NOV 29 P 3:58

CRIMINAL COVER SHEET

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case. Please place this form on top of the Defendant Information Form.

Case Name:

USA v. Monico Dominguez, et al

Case Number:

TBD

EMC

CR 12 834

Total Number of Defendants:

1 _____ 2-7 ☒ 8 or more _____

Is This Case Under Seal?

Yes _____ No ☒

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes _____ No ☒

Venue (Per Crim. L.R. 18-1):

SF ☒ OAK _____ SJ _____

Is this a death-penalty-eligible RICO Act gang case?

Yes _____ No ☒

Assigned AUSA (Lead Attorney):

Randy Luskey

Comments:

Date Submitted:

November 29, 2012